

10/509095

DT04 R PCT/PTO 28 SEP 2004

Mail Stop Sequence
PATENT
4301-1117

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Manfred WINDISCH

Conf.

Application No. New National Stage Group

Filed September 28, 2004

Examiner

NEUROTROPHIC AND NEUROPROTECTIVE PEPTIDES

**SUBMISSION UNDER 37 C.F.R. §1.821
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 28, 2004

Sir:

Applicant(s) attach(es) to the present paper a "Sequence Listing", as required by Rule 821(c), and a copy of the "Sequence Listing" in computer readable form, as required by Rule 821(e).

Applicant(s) hereby state(s) that the content of the attached paper and computer readable copy of the Sequence Listing are the same.

Respectfully submitted,

YOUNG & THOMPSON



Benoit Castel, Reg. No. 35,041
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

BC/lmt

Attachment(s): 1 Copy of the Sequence Listing on Diskette

BEER & PARTNERS PATENT ATTORNEYS KEG

DT0 10/509095
PCT/PTO 28 SEP 2004
Vienna, 6/13/2003

Richard Atzwanger, B.S. Eng.

Manfred Beer, B.S. Eng.

Reinhard Hehenberger, B.S. Eng.

A-1070 Vienna, Lindengasse 8

Tel.: 523 23 87, Fax: 526 42 45

Exhibit No.: M157-3001 PCT

KD/KR

To the

European Patent Office

P.B. 58 18 Patentlaan 2

NL-2280 HV Rijswijk

confirmation via DHL!

previously as fax

Re: **PCT/AT03/00065//JSW-Research Forschungslabor [Research
Laboratory] GMBH**
Protocol of Nucleotide Sequences and Amino Acid Sequences

With reference to the communication dated 5/16/2003, the protocol of the nucleotide sequences and/or the amino acid sequences corresponding to the WIPO Standard ST 25 shall be sent to the applicant later in connection with PCT/AT03/00065. In this connection, it is hereby declared that this sequence protocol according to the attachments does not exceed the disclosure content of PCT/AT03/00065. Rather, the amino acids defined on page 14 of the description in PCT/AT03/00065 in accordance with the WIPO Standards were transferred to the corresponding compounds according to claim 1. A noteworthy aspect of this transfer is that at the time of the application, an obvious error occurred with respect to the designation E for D- or L-gentaminic acid as well as to the designation F for D- or L-phenyl acid. In this case, this is an error that is obvious to one skilled in the art at the time of the application, which is corrected to the extent that the D- or L-gentaminic acid corresponds to a D- or L-glutaminic acid, and the D- or L-phenyl acid corresponds to the D- or L-phenylalanine.

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In addition, [REDACTED] explained that the sequence protocol that was sent in by mail in computer-readable form and stored on a disk corresponds to the sequence protocol that is enclosed according to the attachments.

Patent Attorneys

Manfred Beer, B.S. Eng.

Reinhard Hehenberger, B.S. Eng.

By

/s/

Reinhard Hehenberger, B.S. Eng.

Encl.:

Sequence protocol in writing

Sequence protocol in computer-readable form on a disk (mailed separately)